

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RAUL RIVERA CHAVEZ,

Petitioner,

vs.

ROSE MARTINEZ, Warden,

Respondent.


No. C 08-00491 JW (PR)

JUDGMENT

Petitioner, a state prisoner, filed a pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner did not apply for leave to proceed in forma pauperis nor pay the filing fee, so on January 31, 2008, this Court ordered that he do so within thirty days or the case would be dismissed. Although that deadline has since passed, petitioner has not complied.

For the foregoing reasons, this case is DISMISSED without prejudice. Judgment is entered accordingly. The clerk shall close the file.

DATED: March 14, 2008


JAMES WARE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

RAUL RIVERA CHAVEZ,
Petitioner,

Case Number: CV08-00491 JW

CERTIFICATE OF SERVICE

v.

ROSE MARTINEZ, Warden,
Respondent.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 3/20/2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Raul Rivera Chavez
c/o Rebecca Cohn
Necole Hernandez, Field Representative
100 Paseo De San Antonio, Suite 319
San Jose, CA 95113

Dated: 3/20/2008

Richard W. Wieking, Clerk
/s/ By: Elizabeth Garcia, Deputy Clerk